

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Cause No. 1:20-cr-00272-SEB-DML
	)	
RAYMOND SMILEY,	)	- 01
	)	
Defendant.	)	

**REPORT AND RECOMMENDATION**

On September 2, 2025, the Court held a hearing on the Petitions for Warrant or Summons for Offender Under Supervision filed on August 19, 2025, and on August 28, 2025. Defendant Smiley appeared in person with his appointed counsel from the Federal Community Defenders Leslie Wine. The Government appeared by Assistant United States Attorney MaryAnn Mindrum. U.S. Probation appeared by Officer Katherine Lindley.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Smiley of his rights and provided him with a copy of the Petitions. Defendant Smiley orally waived his right to a preliminary hearing.
2. After being placed under oath, Defendant Smiley admitted to violation numbers 1 and 2 in the Petitions. The Government orally moved to withdraw the remaining violation 3, which motion was granted by the Court such that violation number 3 was dismissed.
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

<b><u>Violation</u></b>	
<b><u>Number</u></b>	<b><u>Nature of Noncompliance</u></b>

- 1        **"You shall not use or possess any controlled substances prohibited by applicable state or federal law, unless authorized to do so by a valid prescription from a licensed medical practitioner."**

On August 7, 2025 and August 11, 2025, Mr. Smiley submitted urinalysis samples that tested positive for cocaine.

On August 7, 2025, Mr. Smiley admitted to consuming an unknown pill he believed to be a muscle relaxer. This sample was forwarded for confirmation testing and confirmed positive for cocaine metabolite Benzoyllecgonine.

On August 11, 2025, Mr. Smiley initially denied illicit substance use. However, when confronted with his positive cocaine urinalysis result, Mr. Smiley admitted to using cocaine.

As previously reported to the Court, Mr. Smiley also submitted urinalysis samples that tested positive for cocaine on January 31, 2024, February 12, 2025, February 26, 2025, March 18, 2025 and April 7, 2025. He submitted a urinalysis sample that tested positive for amphetamines, cannabinoids, and cocaine on January 3, 2025.

- 2        **" You shall not use or possess alcohol."**

On August 7, 2025, Mr. Smiley submitted a urinalysis sample that tested positive for alcohol metabolites ethyl glucuronide and ethyl sulfate. He also admitted to consuming alcohol on July 26, 2025.


As previously reported to the Court, Mr. Smiley submitted urinalysis samples that tested positive for alcohol on January 11, 2024 and February 8, 2024. He admitted alcohol use on both occasions.

4.        The parties stipulated that:
- (a)        The highest grade of violation is a Grade B violation.
  - (b)        Defendant's criminal history category is IV.
  - (c)        The range of imprisonment applicable upon revocation of supervised release, therefore, is 12 to 18 months of imprisonment.
5.        The parties jointly recommended a sentence of 20 months in custody and no federal supervision to follow.

6. The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a) to the extent deemed appropriate by 18 U.S.C. § 3583(e), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or her designee for a period of 20 months with no federal supervised release to follow. The Magistrate Judge makes a recommendation of placement close to Indianapolis, Indiana, and also recommends substance abuse treatment for the Defendant. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation.

7. The Parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The Parties waived the fourteen day period to object to the Report and Recommendation.

Date: 9/3/2025

  
Kellie M. Barr  
United States Magistrate Judge  
Southern District of Indiana

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